

EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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COREY BRISKIN and NICHOLAS MAGGIPINTO, on
behalf of themselves and all others similarly situated,

Plaintiffs,

-against-

CITY OF NEW YORK, ERIC L. ADAMS, individually and
in his official capacity as the Mayor of the City of New York,
RENEE CAMPION, individually and in her official capacity
as the Commissioner of the Office of Labor Relations of the
City of New York, BILL DE BLASIO, and ROBERT LINN,

Defendants.
----- X

**DEFENDANTS'
RESPONSES AND
OBJECTIONS TO
PLAINTIFF'S SECOND
SET OF
INTERROGATORIES**

Case No. 24-cv-03557-(JAV)

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and Local Civil Rule 33.3 of the United States District Courts for the Southern and Eastern Districts of New York (Southern District Only), Defendants respond and object to Plaintiff's Second Set of Interrogatories as follows:

GENERAL STATEMENT

1. By responding to any request, Defendants do not concede the materiality of the subject to which it refers. Defendants' responses are made expressly subject to, and without waiving or intending to waive, any questions, or objections as to the competency, relevancy, materiality, privilege, or admissibility as evidence or for any other purpose, of any of the documents or information produced, or of the subject matter thereof, in any proceeding including the trial of this action or any subsequent proceeding.

2. Inadvertent production of any document or information which is privileged, was prepared in anticipation of litigation, or is otherwise immune from discovery, shall not constitute a waiver of any privilege or of another ground for objecting to discovery with respect to that

document or any other document, or its subject matter, or the information contained therein, or of Defendants' right to object to the use of any such document or the information contained therein during any proceeding in this litigation or otherwise.

3. Defendants reserve their rights to supplement, revise, correct or clarify any of the responses herein up to and including the time of trial.

INTERROGATORIES

INTERROGATORY NO. 1:

Identify all parties who maintain information reflecting:

- (1). the number of requests for IVF SERVICES made by employees of the CITY OF NEW YORK or an employee's spouse or dependent during the CLASS PERIOD, including: (i) whether the request came from a man or a woman and the name of the employee making ; (ii) whether the request came from a single gay man; (iii) whether the request came from a man in a same-sex relationship or marriage; (iv) whether the request came from a lesbian woman or a woman in a relationship with another woman; and (v) whether the request came from a person in a relationship with a person of a different sex;
- (2). the number of requests for IVF SERVICES made by employees of the CITY OF NEW YORK or an employee's spouse or dependent during the CLASS PERIOD that were approved, including documents sufficient to identify: (i) whether the request came from a man or a woman; (ii) whether the request came from a single gay man; (iii) whether the request came from a man in a same-sex relationship or marriage; (iv) whether the request came from a lesbian woman or a woman in a relationship with another woman; and (v) whether the request came from a person in a relationship with a person of a different sex;

(3). the number of requests for IVF SERVICES made by employees of the CITY OF NEW YORK or an employee's spouse or dependent during the CLASS PERIOD that were denied, including documents sufficient to show (i) whether the request came from a man or a woman; (ii) whether the request came from a single gay man; (iii) whether the request came from a man in a same-sex relationship or marriage; (iv) whether the request came from a lesbian woman or a woman in a relationship with another woman; and (v) whether the request came from a person in a relationship with a person of a different sex;

(4). the number of requests for IVF SERVICES made by employees of the CITY OF NEW YORK during the CLASS PERIOD that were not denied or approved, including documents sufficient to show (i) whether the request came from a man or a woman; (ii) whether the request came from a single gay man; (iii) whether the request came from a man in a same-sex relationship or marriage; (iv) whether the request came from a lesbian woman or a woman in a relationship with another woman; and (v) whether the request came from a person in a relationship with a person of a different sex.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 1:

Defendants object to Interrogatory No.1 on the grounds that is vague and ambiguous generally and specifically in its use of the term “reflecting”, is not sufficiently limited in time or scope and is disproportionate to the needs of the case, and seeks information that is not in the custody, control, or possession of the Defendants.

Subject to and without waiving the foregoing general and specific objections, and construing this Interrogatory as seeking the identity and address of entities that maintain records regarding requests for IVF services made by the City of New York employees or their spouses who participate in the GHI-Comprehensive Benefits Plan, the gender and marital status of the requesting individuals, the gender of their spouses (if any), and whether such requests were approved or denied, and the number of requests made, Defendants state that responsive information may be maintained by the following entities:

1. EmblemHealth
55 Water Street
New York, NY 10041
2. Anthem
One Penn Plaza, 36th Floor, Suite 3101
New York, NY 10119

Dated: New York, New York
March 18, 2025

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Labor Relations of the City of New York*, BILL DE
BLASIO, and ROBERT LINN,

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VERIFICATION

Index No. 24-cv-03557-JAV

Dean Weltman, an attorney admitted to practice in New York State, affirms this 18 th day of March, 2025, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the following is true, and I understand that this document may be filed in an action or proceeding in a court of law.

The undersigned states that he is an attorney employed as an Executive Counsel/Agency Chief Contracting Officer within the New York City Office of Labor Relations (“OLR”), that he has read the foregoing responses to Plaintiff’s Second Set of Interrogatories in the matter of Briskin, et al v. City of New York City, et al., filed in the United States District Court for the Southern District of New York under docket number 24-cv-03557-JAV and that he believes them to be true based on the information known to him and provided to him by former and current employees of OLR and/or OLR’s business records and files.

Dated: New York, New York
March 18, 2025

/s/ Dean Weltman
Dean Weltman